

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

LUTHER T. SMITH, JR.

No. 3:09-00167
JUDGE HAYNES

UNOPPOSED MOTION FOR SHORT CONTINUANCE
OF SENTENCING HEARING

The defendant, through counsel, respectfully moves the Court to continue his sentencing hearing now set for Monday, July 15, 2013, and reset it for the afternoon of Monday, August 19, 2013. The basis for this motion is that undersigned counsel did not represent the defendant during trial or the original sentencing hearing and met the defendant for the first time today, July 11, 2013. The defendant, who has been in the custody of the Bureau of Prisons serving his sentence, only arrived back in this district this week, and today was the first opportunity undersigned counsel had to meet with Mr. Smith. Undersigned counsel will be furloughed tomorrow and his office closed. Counsel needs additional time in which to prepare for the sentencing hearing. He is authorized to state that the attorney for the government does not have any objection to this request.

Respectfully submitted,

s/ Henry A. Martin
HENRY A. MARTIN (BPR #002830)
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Attorney for Luther T. Smith, Jr.

DUKED
Termination
NOTED
In hearing &
reset for
August
19, 2013
at 3:00
pm
Will get
1/8/13
7-12-13